

L A W O F F I C E S O F
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December 10, 2009

The Honorable Judge Preska
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

RE: **United States v. Scott Shay, et al.,**
 00 CR. 390 (LAP)

Dear Judge Preska:

Please be advised that I am counsel to Mr. Shay in the above referenced matter.

I submit this application on behalf of Mr. Shay with the hopes of coming to a concrete and final resolution of Mr. Shays current outstanding restitution balance presently owed in the above referenced matter. According to my records, Mr. Shay, along with his co-defendants, was ordered to pay restitution in the amount of \$154,253.72. All defendants in this matter were jointly and severally liable for this restitution payment. After speaking with financial litigation agent Herman Amos from the United States Department of Justice, we have been advised that, as of May 29, 2009, the outstanding restitution balance is 156, 525.56, which includes interest payments and penalties.

It is my clients hope and intention that he can resolve his portion of the amount of restitution owed. Based off the fact that this debt is nearly 10 years old and interest and penalties continue to accrue against all defendants, it is my humble opinion that it is in all parties best interests to come to an agreement to ultimately settle this matter. Therefore, we are respectfully asking Your Honor to impose and set forth a proportionate amount of restitution that my client specifically owes. It is my earnest belief that once a reasonable dollar

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amount is designated to Mr. Shay, he will put himself in a position to complete his portion of the debt owed once and for all.

It is my understanding that Mr. Shay has spoken to his probation officer regarding this issue and probation shares in the opinion that allotting specific proportional amounts to each defendant would best suit all parties.

Due to the fact that this case is as old as it is, we were unsure as to whom to contact in the United States Attorney's office regarding this matter, as it is my understanding that the previous assistant handling this case has since left the office.

Thank you very much for your time and consideration.

Respectfully Submitted,



Murray Richman, Esq.

MR/bp